

EXHIBIT 5

**IN THE UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
GALVESTON DIVISION**

**DARRYL GEORGE AND
DARRESHA GEORGE
Plaintiffs**

vs.

**GREGG ABBOTT, KEN PAXTON,
BARBERS HILL INDEPENDENT
SCHOOL DISTRICT, GREG POOLE,
LANCE MURPHY AND RYAN
RODRIGUEZ
Defendants**

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CIVIL ACTION NO. 3:24-cv-00012

AFFIDAVIT IN SUPPORT OF EMERGENCY TEMPORARY RESTRAINING ORDER

DARRYL GEORGE appeared in person before me today and stated under oath:

“My name is Darryl George. I am above the age of eighteen years, and I am fully competent to make this affidavit. The fact stated within the affidavit are within my personal knowledge and are true and correct.

“I am the Movant for the Emergency Temporary Restraining Order and Permanent Injunction in this case. I am the mother and guardian over the education decisions of Darryl George.”

“I am petitioning the Court for an emergency temporary restraining order, a temporary restraining order and a permanent injunction for my hair and hair length that is subject of this litigation.”

“I need this honorable court to intervene. Barbers Hill Independent School District has been punishing, disciplining and making a difference between myself and other students since August 31, 2023. I am suffering because of the acts of the school district, its officials, its teachers and administrators. All of these acts are in furtherance of a school dress and grooming code implemented by Barbers Hill Independent School District. I was never disciplined, reprimanded, chastised, removed, made an example or treated differently regarding my hair until August 21, 2023 when they removed me from standard classroom instruction and placed me in ISS stating my hair was too long. Before this incident, I was not notified by any representative of the school or school district.

"I suffer from dyslexia and require special classroom instruction. I cannot receive that instruction if I am not in a normal classroom setting and have access to the educators who assist me with my dyslexia. Because I was in ISS last school year and will be in ISS beginning Wednesday, I will suffer irreparable harm because of my learning disability. Moreover, this is imminent as school begins Wednesday, August 14, 2024. With school beginning on August 14, 2024, the harm is imminent due to the fact I will resume in normal instructions, but based on the policies, information and belief, I will be subjected to the same penalties insufficient classroom instruction and insufficient learning that I suffered last school year within 48-72 hours of school beginning August 14, 2024."

"There is no adequate remedy at law which will allow me to return to regular instruction on August 14, 2024. If the TRO is not granted, I will suffer the same disparate discipline and inadequate learning based on my disability as I did last year. If the TRO is not granted, I will be forced to incur disciplinary action that will affect my college applications and future. If the TRO is not granted, I will fall behind in learning and suffer inferior or no instruction."

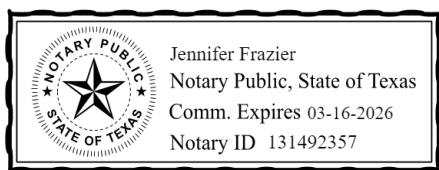
"Barbers Hill Independent School District will not suffer any harm if this honorable court grants my earnest request of a temporary restraining order during the pendency of this litigation. Granting my request for a temporary restraining order will not stop Barbers Hill Independent School District from operating. Granting my request for a temporary restraining order will not hinder the instructors from teaching and educating the children of Barbers Hill Independent School District. Granting my request for a temporary restraining order will not cause undue harm and any harm at the now or in the future. Granting my request for a temporary restraining order will not disrupt Barbers Hill Independent School District from normal operations. If you do not grant my request, I will suffer the harm listed in the above paragraphs."

"Judge Brown please help us so that I can attend school like a normal teenage student during the pendency of this litigation."


Affiant

State of Texas, County of Dallas

SWORN TO AND SUBSCRIBED before me on the 12 day of August 2024.



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